

# Wetlands Bureau Decision Report

Decisions Taken  
10/27/2008 to 11/02/2008

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2008-00564                      SUSI, MICHAEL & JODELL**  
**MOULTONBOROUGH   Lake Winnepesaukee**

### Requested Action:

Fill 700 sq ft to construct 48 linear ft of breakwater, in an "I" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 30 ft cantilevered pier with a 6 ft x 30 ft piling supported dock connected in a "U" shaped configuration by a 6 ft x 24 ft walkway, dredge 6 cubic yards from 325 sq ft of lakebed on an average of 97 ft of frontage on Lake Winnepesaukee, Wolfeboro.

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### Conservation Commission/Staff Comments:

No comments from Con Com by July 11, 2008

Inspection Date: 07/18/2008 by Chris T Brison

### DENY PERMIT:

Fill 700 sq ft to construct 48 linear ft of breakwater, in an "I" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 30 ft cantilevered pier with a 6 ft x 30 ft piling supported dock connected in a "U" shaped configuration by a 6 ft x 24 ft walkway, dredge 6 cubic yards from 325 sq ft of lakebed on an average of 97 ft of frontage on Lake Winnepesaukee, Wolfeboro.

### With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This project is classified as a major impact per Rule Env-Wt 303.02(d), "Construction or modification of major docking system defined by Env-Wt 101.53, and any dock adjacent or attached to a breakwater".
3. In accordance with Env-Wt 101.05 "Applicant, means a person having an interest in the land on which a project is to be located that is sufficient for the person to legally proceed with the project who has applied for a permit, permit modification, waiver, or other approval pursuant to Env-Wt 200 through Env-Wt 800, or the duly-authorized agent of such a person".
4. In accordance with Env-Wt 402.18 "Ownership, (a) An applicant for a shoreline structure defined as major shall be the owner in fee of the affected frontage, unless the applicant has leased the property from the state pursuant to RSA 228:57-a".
5. In accordance with RSA 482-A:11, II, "Decisions of the department or council under this chapter shall be consistent with the purposes of this chapter as set forth in RSA 482-A:1. Before granting a permit under this chapter, the department may require reasonable proof of ownership by a private landowner-applicant. If a permit is granted, the decision of the department may contain reasonable conditions designed to protect the public good. No permit to dredge or fill shall be granted if it shall infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners."

### Findings of Fact

1. On May 08, 2008, the Wetlands Bureau received a complete application on the lot identified as Moultonborough tax map 287, lot 11, Fill 700 sq ft to construct 48 linear ft of breakwater, in an "I" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 30 ft cantilevered pier with a 6 ft x 30 ft piling supported dock connected in a "U" shaped configuration by a 6 ft x 24 ft walkway, dredge 6 cubic yards from 325 sq ft of lakebed on an average of 97 ft of frontage on Lake Winnepesaukee, Wolfeboro. 2. The application listed four individuals as the owners of the lot where the proposed breakwater was to be constructed.
3. The application was signed by the agent and none of the listed owners.
4. On July 06, 2008 the Wetlands Bureau received information to the file indicating some of the individuals listed on the application as the owners were not in agreement with the proposed project.
5. On July 10, 2008, the Wetlands Bureau sent a Request for More Information letter to the four owners of the lot. This Request for More Information letter included a request to submit information to the file indicating the four owners were aware of the project and had no concerns with the proposed project.

6. On July 14, 2008, the Wetlands Bureau received notice from the agent for the Susi family, one of the owners, stating they do not consent the issuing of a permit for the construction of a breakwater on the land of which they are one quarter owners.
7. On August 15, 2008, the Wetlands Bureau received a letter from an agent for the Susis and Geartys, another of the owners, stating the are still looking for resolution with the group of owners.
8. On October 24, 2008, the Wetlands Bureau received a second notice from the agent for the Susis stating they have not changed their position on the construction of the breakwater on common land of which they are one quarter owner, and do not give permission for the proposed construction.

#### Rulings in Support of Denial

1. Pursuant to Env-Wt 402.18, the applicant is not the sole owner of the property. Individuals owning the property in part object to the issuance of the permit and, therefore, the application is denied.
2. Pursuant to RSA 482-A:11, II, the proposed project will adversely affect the rights of some of the other owners, therefore, the application is denied.

#### **2008-00807                      INNSEASON RESORT** **LINCOLN   Unnamed Wetland**

##### Requested Action:

Request reconsideration of the July 30, 2008 decision to approve a permit for filling 26,760 square feet of man-made stream channel and tail race that flow from a former mill building (impacting 852 linear feet) to re-develop the property as a resort/lodging facility under the DES & EPA Brownfields Program. Mitigate impacts by making a one time payment of \$64,812.14 to the DES Aquatic Resource Mitigation (ARM) Fund - Pemigewasset River watershed.

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##### Conservation Commission/Staff Comments:

Mitigate impacts by making a one time payment of \$64,812.14 to the DES Aquatic Resource Mitigation (ARM) Fund - Pemigewasset River watershed.

##### DENY RECONSIDERATION:

Deny reconsideration to overturn the July 30, 2008 decision to approve the proposed project.

##### With Findings:

##### Standards for Approval:

1. In accordance with RSA 482-A:10, II Appeals, "a request for reconsideration of a department decision under RSA 482-A:3 shall be filed with the department within 30 days of issuance of the department's decision."
2. By statute, the Department has no discretion to waive or extend this deadline.

##### Findings of Fact:

3. The Department issued its decision, by way of a letter dated and mailed on July 30, 2008, to approve the applicant's request to fill 26,760 square feet of man-made stream channel and tail race that flow from a former mill building (impacting 852 linear feet) to re-develop the property as a resort/lodging facility under the DES & EPA Brownfields Program.
4. The deadline to make a request for reconsideration of the Department's decision was by August 29, 2008.
5. The Motion for Reconsideration, was dated and received by the Department on September 30, 2008, which was 62 days after the issuance of the Department's decision.

##### Ruling in Support of the Decision:

6. The department did not receive a timely request for reconsideration therefore the decision stands as issued.

#### **2008-01303                      BATES, DONALD** **ALTON   Lake Winnepesaukee**

Requested Action:

Dredge 22 cubic yards from 1230 sq ft of previously dredged lakebed and place sand on 4,525 sq ft of adjacent beach area on an average of 394 ft of frontage on Lake Winnepesaukee, in Alton.

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Conservation Commission/Staff Comments:

Con Com submitted comments stating the breakwater should have a gap at the shoreline

APPROVE PERMIT:

Dredge 22 cubic yards from 1230 sq ft of previously dredged lakebed and place sand on 4,525 sq ft of adjacent beach area on an average of 394 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revision dated October 17, 2008, as received by DES on October 21, 2008.
2. Dredged material not used to replenish the existing beach shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(g), removal of more than 20 cubic yards of rock, gravel, sand, mud or other material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of Lake Winnepesaukee, as identified under RSA 482-A:1.

**2008-01629                      ROCHESTER HOUSING AUTHORITY**  
**ROCHESTER   Cocheco River**

Requested Action:

Install 200 linear ft. (800 sq. ft.) of rip rap along the bank and foundation of existing former mill building in urban location, to protect foundation and building access.

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APPROVE PERMIT:

Install 200 linear ft. (800 sq. ft.) of rip rap along the bank and foundation of existing former mill building in urban location, to protect foundation and building access.

With Conditions:

1. All work shall be in accordance with revised plans by Civil Consultants dated 10/15/2008, as received by DES on 10/27/2008.
2. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
3. This permit is contingent upon the submission to, and DES approval of, a dewatering plan for work within the surface water.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and shall remain until the area is stabilized.

5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Work shall be done during low flow.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), projects that alter 200 or more linear feet of perennial stream bank or channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The foundation of the existing mill building needs protection from further erosion to the foundation and access way built into the edge of the Cocheco River in an urban setting.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The work will occur between the bank and mill building foundation in an urbanized setting.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. No species of concern were reported by the NH Natural Heritage Bureau for the project location. The National Marine Fisheries Service reported that the application was eligible as proposed, following review of the project at a federal agency joint processing review meeting on 9/26/2008.

**MINOR IMPACT PROJECT**

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**2008-00435                      LAKE UMBAGOG NATIONAL WILDLIFE REFUGE**  
**WENTWORTHS LOCA    Turners Mill Pond**

Requested Action:

Amend permit to modify condition #9.

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Conservation Commission/Staff Comments:

No Con Com available

APPROVE AMENDMENT:

Upgrade an existing natural canoe boat ramp by installing a 12 ft x 17 ft concrete boat ramp in the bank and a 6 ft x 5 ft concrete anchor pad in the bank with a 5 ft x 15 ft seasonal dock attached to a 10 ft x 16 ft floating dock, install a dry hydrant in the bank, on the Magalloway River, Wentworth's Location.

With Conditions:

Amended Conditions:

1. All work shall be in accordance with plans by Michael Seraikas as received by DES on September 23, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate siltation/erosion/turbidity controls, including a turbidity curtain, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Work shall be done during low flow.
6. Upland and bank areas landward of the boat ramp shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into the Magalloway River.
7. There shall be no cutting of trees or removal of any stumps from the bank except for the area within which construction of the ramp will take place.
8. The ramp approach shall be crowned so that drainage is directed away from the slope of the ramp.
9. The boat ramp shall be utilized as a public access to Magalloway River and shall not change in use.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
12. Seasonal pier shall be removed from the river for the non-boating season.
13. No portion of the pier shall extend more than 31 feet from the shoreline.
14. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c), construction of a permanent structure in a stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The construction of a dock wider than standard dimensions is required to provide a safe docking system for public access to the waterbody.
5. The applicant has an average of 7200 feet of shoreline frontage along the Magalloway River.
6. A maximum of 97 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2008-01553                      EATON, TOWN OF**  
**EATON   Tributary To Conway Lake**

Requested Action:

Replace the existing 12 ft. x 42 ft. steel beam bridge with pre-stressed concrete voided deck beams and cast in place concrete abutments for a single lane bridge (17 ft. x 47 ft.) impacting 663 sq. ft. of palustrine and lacustrine wetlands.

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Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Replace the existing 12 ft. x 42 ft. steel beam bridge with pre-stressed concrete voided deck beams and cast in place concrete abutments for a single lane bridge (17 ft. x 47 ft.) impacting 663 sq. ft. of palustrine and lacustrine wetlands.

With Conditions:

1. All work shall be in accordance with plans by Hoyle Tanner and Assoc., Inc. dated July 2008 as received by the Department on Aug. 7, 2008.

2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the water body, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
16. The impacts associated with the temporary work shall be restored immediately following construction.
17. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k), projects that disturb between 50 and 200 linear feet of shoreline.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. The project will improve public safety.
7. NH Fish and Game Dept. indicated the project is not expected to impact the common loon, a state threatened species.
8. Prior to the filing of the application, the applicant's agent coordinated with the DES. After researching existing records, the DES found that the project is not within the original Great Pond and does not require a Grant in Right.
9. As noted in file 2008-01573, the DES reviewed the information submitted on August 12, 2008 and determined that this project meets the requirements of Env-Wq 1406.03 (c) Exemption for Vested Rights and therefore the road and bridge improvements does not require a Shoreland Permit.

**2008-01555                      NORTHUMBERLAND, TOWN OF**  
**NORTHUMBERLAND   Connecticut River**

Requested Action:

Dredge and fill 5,360 sq. ft. (195 linear ft.) of failed river bank along the Connecticut River. Work consists of repairing and

regrading the existing slope with bank run gravel, installation erosion fabric, covering with stone fill and topsoil and re-vegetating with salvaged native vegetation and a conservation seed mix.

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#### APPROVE PERMIT:

Dredge and fill 5,360 sq. ft. (195 linear ft.) of failed river bank along the Connecticut River. Work consists of repairing and regrading the existing slope with bank run gravel, installation erosion fabric, covering with stone fill and topsoil and re-vegetating with salvaged native vegetation and a conservation seed mix.

#### With Conditions:

1. All work shall be in accordance with plans by Horizons engineering, LLC, dated July 2008, as received by DES on August 7, 2008.
2. Work shall be done during low flow.
3. All work shall be conducted above the ordinary water mark.
4. A New Hampshire Licensed Engineer shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives.
5. Bank restoration plantings shall have at least 75% success after two (2) growing seasons, or the areas shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
6. A post-construction report documenting the status of the project shall be submitted to the Wetlands Bureau and the NHDES Rivers Coordinator within 60 days and one full growing season after the completion of construction.
7. Construction equipment shall work from the adjacent banks and upland areas.
8. There shall be no excavation or operation of construction equipment in water.
9. Permitting for future bank failures in this location or the remaining property shall require further investigation in alternative stabilization methods which incorporates bio-engineering and the possibility of moving existing roads further from the river bank.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
13. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B.
19. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore, stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

#### With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks;



2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The work is needed to prevent further erosion, bank failure and protect access to the property and the adjacent sewage pump station.
6. Stabilization methods are limited due to the close proximity of Perras Road.
7. The site was identified by the NH Natural Heritage Bureau for possible impacts to the federally and state endangered species, (dwarf wedgemussel) *Alasmodonta heterodon*, near the site.
8. DES has not received any comments from the New Hampshire Fish & Game Department or the United States Fish & Wildlife Service.
9. The proposed work will be above the ordinary water mark and will alleviate the existing erosion and sediment entering the river from the adjacent bank.
10. The permit is conditioned on work during low flow and no work in the water.
11. The Connecticut River Joint Commission submitted comments suggesting that they anticipate little effect if any upon aquatic life because the work is above the ordinary high water level. Additionally, they suggested that future failures may occur and it is not a long term solution. They further suggested that the landowner consider relocating Perras Road.
12. The permit is conditioned on investigation in alternative stabilization methods which incorporates bio-engineering and the possibility of moving existing roads further from the river bank if future permitting is required.
13. DES has received an approval letter for the proposed work from the underlying and adjacent landowner.
14. DES has not received any objection to the proposed project.

## MINIMUM IMPACT PROJECT

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**2005-02081                      DORY INN CONDOMINIUM ASSOCIATION, ANNE SHEA**  
**HAMPTON    Atlantic Ocean**

### Requested Action:

In-kind repairs to an existing riprap seawall with built in concrete steps along approximately 100 linear feet of shoreline on the Atlantic Ocean for continued storm protection.

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### APPROVE PERMIT:

In-kind repairs to an existing riprap seawall with built in concrete steps along approximately 100 linear feet of shoreline on the Atlantic Ocean for continued storm protection.

### With Conditions:

1. All work shall be in accordance with plans received by DES on September 30, 2008.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. Approval to work on the seawall must be obtained from the Town of Hampton prior to the commencement of construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
6. Work shall be done during low tide only.
7. Repairs shall maintain existing size, location and configuration.

### With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.
2. Over the course of multiple storms the seawall sustained damage, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. Repairs will be done in-kind, therefore; the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-02163                      NEW DURHAM, TOWN OF**  
**NEW DURHAM   March Pond**

**Requested Action:**

Amend permit description item 7. to change square footage of impact for rip rap repair to dam berm from 7,759 square feet over 1,200 linear ft., to 9,829 square feet over same 1,200 linear ft., to reflect increased impact of 2,070 square feet due to design changes associated final High Hazard dam design as approved by DES Dam Bureau.

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**APPROVE AMENDMENT:**

Perform necessary repairs and upgrades to March's Pond Dam as required by NHDES Dam Bureau Letter of Deficiency DAM #170.04 dated 5/30/2002, including the following:

1. Impact 480 sq. ft. of Haynes Brook to replace existing 3' x 2' x 25' box culvert with a 4' x 4' x 25' box culvert under Birch Hill Rd.;
2. Impact 545 sq. ft. (414 sq. ft. temporary and 131 sq. ft. permanent) of Haynes Brook to replace in-kind an existing 30" x 28' culvert under Birch Hill Rd.;
3. Impact 769 sq. ft. (644 sq. ft. temporary and 125 sq. ft. permanent) of Haynes Brook to replace existing caved-in 30" x 50' corrugated metal culvert with a 30" x 50' concrete culvert under Birch Hill Rd. between March's Pond and Chalk Pond;
4. Eliminate emergency spillway in access road and regrade associated banks along Chalk Pond impacting 5,049 sq. ft. (3,977 sq. ft. temporary and 1,072 sq. ft. permanent);
5. Remove undersized, deteriorated spillway in March's Pond Dam and install an appropriately upgraded 12' x 60' concrete gated spillway impacting 2,540 sq. ft. (1,820 sq. ft. temporary and 720 sq. ft. permanent);
6. Fill a total of 11,417 sq. ft. (6,028 sq. ft. temporary and 5,389 sq. ft. permanent) over 4 locations for refurbishment of dam berm;
7. AMENDED: Install approximately 1,200 linear ft. (9,829 sq. ft.) of rip rap to reinforce existing concrete wall of dam.

**With Conditions:**

1. AMENDED: All work shall be in accordance with revised plans by CMA Engineers dated March 2007, as received by the Department on March 29, 2007, and, in accordance with revised plans by CMA Engineers dated 10/27/2008 as received on 10/28/2008 specific to the scope of work for repair of the berm to be conducted during 2008 only.
2. AMENDED: This permit is contingent on receipt from the applicant by the DES Wetlands Bureau, of a set of the full-sized of final design plans as approval by the DES Dam Safety Program.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

10. This permit is contingent upon receipt and DES approval of stream diversion/ dewatering plan for work at crossing locations which involve perennial streams.

11. Unconfined work within the waterbody, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.

12. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.

13. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

14. Temporary cofferdams shall be entirely removed immediately following construction.

15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

16. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

19. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

21. Silt fencing must be removed once the area is stabilized.

22. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

23. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

24. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.

25. Faulty equipment shall be repaired prior to entering jurisdictional areas.

26. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

27. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

#### With Findings:

1. The change in square footage represents minimal impact for necessary design changes to address the DES Dam Bureau design requirements for a High Hazard classification dam, and does not change the overall category of the project.

**2006-01227                      CIAMBELLI, STEVEN**  
**NEWTON   Unnamed Wetland**

#### Requested Action:

Approve name change to: Steven Ciambelli, 11 Marshview Terrace, Revere MA 02151 per request received 10/30/08.

\*\*\*\*\*

#### Conservation Commission/Staff Comments:

The Newton Conservation Commission did not comment on the project.

**APPROVE NAME CHANGE:**

Impact 1,299 square feet of palustrine emergent wetland for the installation of a 15-inch by 60-foot culvert for the construction of a roadway and cul-de-sac to provide access to a 5 lot single family subdivision on 9 acres.

**With Conditions:**

1. All work shall be in accordance with Katherine Drive Plan and Profile plan (Sheet RP1) by Steven E. Cummings, P.E. dated April 24, 2006, as received by the Department on April 24, 2006.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during seasonal low flow conditions.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2007-01769                      GARBER, ROY  
HOPKINTON   Unnamed Stream**

**Requested Action:**

Retain 697 square feet of impact associated with culverts installed for a logging operation. Restore 645 square feet of intermittent stream and 284 square feet of wetland associated with Dolof Brook for access to buildable uplands.

\*\*\*\*\*

**APPROVE PERMIT:**

Retain 697 square feet of impact associated with culverts installed for a logging operation. Restore 645 square feet of intermittent stream and 284 square feet of wetland associated with Dolof Brook for access to buildable uplands.

**With Conditions:**

1. All work shall be in accordance with plans by Aspen Environmental Consultants revised through September 29, 2008, as received by the Department on September 30, 2008.
2. All restoration work shall be completed by August 1, 2008.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Restoration of the stream shall be done during periods of non-flow.
5. Work shall be done during low flow periods.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. All material removed during work activities shall be removed down to the level of the original hydric soils.
9. All material removed during work activities shall be placed out of DES's jurisdiction.
10. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
11. The applicant shall meet or exceed Best Management Practices for Agriculture.

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.
14. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f); Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant and Env-Wt 303.04(n); Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The topography of the site indicates that the flow at the first culvert crossing off of Briar Hill road is from the abutting property to the north onto the subject lot.
6. The applicant made no changes to the main stem of Dolof Brook nor to any crossings of the stream.
7. Dolof Brook flows to the northeast off of this property. The project is upstream of the ponding effect and expansion of any wetlands on the easterly side of Briar Hill Road.
8. The surface of the driveway may be within 13 feet of the abutting property line but the wetland delineation indicates that the wetland historically began 26 feet from the property line. Therefore, work within DES Wetlands jurisdiction meets the requirements of Env-Wt 304.04(a).
9. The Conservation Commission requested that the culverts be upsized to 24-inches.

**2008-00468                      PREMO, KENNETH**  
**BROOKFIELD   Kingswood Lake**

Requested Action:

Construct a 400 sq ft perched beach with 4 ft wide access steps to the lake on Kingswood Lake, Brookfield.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No comments from Con Com by June 20, 2008

APPROVE PERMIT:

Construct a 400 sq ft perched beach with 4 ft wide access steps to the lake on Kingswood Lake, Brookfield.

With Conditions:

1. All work shall be in accordance with plans as received by DES on October 02, 2008.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (elevation 654). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
5. The steps installed for access to the water shall be located completely landward of the normal high water line.
6. No more than 8 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

9. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach.

**2008-01910                      PSNH**  
**MONT VERNON   Unnamed Wetland**

Requested Action:

PSNH requests to impact approximately 30 square feet of wetland for the placement of a concrete anchor to correct a leaning utility pole.

\*\*\*\*\*

CONFIRM EMERGENCY AUTHORIZATION:

Impact approximately 30 square feet of wetland for the placement of a concrete anchor to correct a leaning utility pole.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(f).
2. The project was necessary to stabilize a failing utility pole.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on September 16, 2008.
4. Review of the materials submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**FORESTRY NOTIFICATION**

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**2008-02107                      LANDMARK LAND SERVICES LLC**  
**NEWPORT   Unnamed Stream**

COMPLETE NOTIFICATION:

Newport Tax Map 51, Lot# 1462

**2008-02119                      BETTS, RANDY & MICHELLE**  
**CAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Campton Tax Map 8, Lot# 4-3

**2008-02191                      STOCKMAN, DANA**  
**ALSTEAD   Unnamed Stream**

COMPLETE NOTIFICATION:

Alstead Tax Map 2, Lot# 4

**2008-02281                      13 MILE WOODS ASSOCIATION INC**  
**ERROL   Unnamed Stream**

COMPLETE NOTIFICATION:  
Errol Tax Map/Lot# R3/4 & R4/15

**2008-02283                      S & M FORESTRY TRUST**  
**RICHMOND   Unnamed Stream**

COMPLETE NOTIFICATION:  
Richmond Tax Map 415, Lot# 1, 2, 3, 4

**2008-02285                      RANDOLPH, TOWN OF**  
**RANDOLPH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Randolph Tax Map R19, Lot# 1

**2008-02287                      S & M FORESTRY TRUST**  
**SPRINGFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Springfield Tax Map 39, Lot# 141

**2008-02289                      LEWITIN, MARGO**  
**SANDWICH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Sandwich R19, Lot# 23

**2008-02292                      BROWN, CHRIS**  
**LYNDEBOROUGH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Lyndeboro Tax Map 232, Lot# 45 & 46

**2008-02293                      JOHNSON, ELIZABETH MORSE**  
**BATH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Bath Tax Map 17, Lot# 41

**2008-02294                      CANAAN, TOWN OF**  
**CANAAN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Canaan Tax Map 15, Lot# 40B & 42

**2008-02295                      WHITCOMB CONSTRUCTION**  
**WALPOLE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Walpole Tax Map 15, Lot# 35

**2008-02318                      HUDSON, DESMOND**  
**PLAINFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Plainfield Tax Map 217, Lot# 15

**2008-02319                      LITTLE MONADNOCK REALTY TRUST**  
**TROY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Troy Tax Map/Lot# 29/2 & 31/2

**2008-02323                      VAPPI TRUST, JEAN**  
**MOULTONBOROUGH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Moultonboro Tax Map 124, Lot# 4

**2008-02324                      BUTTON, CLAYTON & DIANE**  
**EPSOM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Epsom Tax Map R15, Lot# 10, 15, 16

**2008-02335                      STATE OF NH DRED**  
**WEARE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Weare Tax Map 430, Lot# 86

**2008-02339                      STATE OF NH DRED**  
**DUNBARTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Dunbarton Tax Map H2, Lot# 1-1



**2008-02340                      STATE OF NH DRED**  
**HENNIKER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Henniker Tax Map 1, Lot# 681 & 690

**2008-02342                      BASTELL, MARY ANN**  
**UNITY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Unity Tax Map 6, lot# 7

**2008-02343                      SAYRE, FORD**  
**WARREN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Warren Tax Map 8, Lot# 31

**EXPEDITED MINIMUM**

\*\*\*\*\*

**2008-01186                      LONG BAY HOMEOWNERS ASSOCIATION, BRUCE ANDERSON**  
**LACONIA   Paugus Bay**

Requested Action:  
Repair 94 linear ft of dry stone retaining wall in kind on an average of 986 ft of frontage on Paugus Bay, in Laconia.  
\*\*\*\*\*

APPROVE PERMIT:  
Repair 94 linear ft of dry stone retaining wall in kind on an average of 986 ft of frontage on Paugus Bay, in Laconia.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction revised September 12, 2008, as received by DES on September 29, 2008.
2. The repairs shall maintain the size, location and configuration of the pre-existing wall.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a Minimum impact project per Rule Env-Wt 303.04 (v).

**2008-01378                      MEYERS, MOLLY & SUSANNA**  
**NEW LONDON   Pleasant Lake**

Requested Action:

In kind repair of an existing 50 linear feet of retaining wall on Pleasant Lake, New London.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

In kind repair of an existing 50 linear feet of retaining wall on Pleasant Lake, New London.

With Conditions:

1. All work shall be in accordance with plans as received by DES on October 01, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Work shall be done during drawdown.
4. Area shall be regraded to original contours following completion of work.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Repair shall maintain existing size, location and configuration.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

**2008-01956                      NH ELECTRIC COOPERATIVE INC**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Impact 48 sq ft to install 4 concrete covers over a submarine electric utility line on tax map 2, lot 66, and impact 84 sq ft to install 7 concrete covers over a submarine electric utility line on tax map 2, lot 182 in Lake Winnepesaukee, Moultonborough.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Impact 48 sq ft to install 4 concrete covers over a submarine electric utility line on tax map 2, lot 66, and impact 84 sq ft to install 7 concrete covers over a submarine electric utility line on tax map 2, lot 182 in Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Electric Co-Op dated October 22, 2008, as received by DES on October 27, 2008.
2. This permit does not allow for any dredge to place the concrete caps.
3. The concrete caps shall not extend more than 24 ft lakeward on lot 66 and 42 ft lakeward on lot 182, from full lake elevation of 504.32.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.
2. The placement of the concrete caps is to address public safety in public waters.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The proposed work is located within utility rights of way on the proposed lots.

**2008-02095                      NH ELECTRIC COOPERATIVE**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Impact 48 sq ft to install 4 concrete covers over a submarine electric utility line on the lakebed on tax map 266, lot 28, and impact 48 sq ft to install 4 concrete covers over a submarine electric utility line on the lakebed on and tax map 269, lot 6, in Lake Winnepesaukee, Moultonborough.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Impact 48 sq ft to install 4 concrete covers over a submarine electric utility line on the lakebed on tax map 266, lot 28, and impact 48 sq ft to install 4 concrete covers over a submarine electric utility line on the lakebed on and tax map 269, lot 6, in Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Electric Co-Op dated October 22, 2008, as received by DES on October 27, 2008.
2. This permit does not allow for any dredge to place the concrete caps.
3. The concrete caps shall not extend more than 24 ft lakeward from full lake elevation.'
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.
2. The placement of the concrete caps is to address public safety in public waters.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

**LAKES-SEASONAL DOCK NOTIF**

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**2008-02247                      LAROCHE, MARK**  
**EAST WAKEFIELD   Sandy Pond**

COMPLETE NOTIFICATION:

East Wakefield, NH Tax Map 77 Lot 26

Sandy Pond

**2008-02248                      LAROCHE, MARK**  
**EAST WAKEFIELD   Sandy Pond**

COMPLETE NOTIFICATION:

East Wakefield, NH   Tax Map 77 Lot 28  
Sandy Pond

**2008-02249                      DELANO, WAYNE**  
**FREEDOM   Ossipee Lake**

COMPLETE NOTIFICATION:

Freedom, NH   Tax Map 29 Lot 22  
Ossipee Lake

**2008-02250                      GIBB, FREDERIC & PATRICIA**  
**ALTON   Lake Winnepesaukee**

COMPLETE NOTIFICATION:

Alton, NH   Tax Map 80 Lot 18  
Lake Winnepesaukee

**2008-02341                      BOMBA, DAWN**  
**SANBORNTON   Winnisquam Lake**

COMPLETE NOTIFICATION:

Sanbornton, NH   Tax Map 18 Lot 34  
Lake Winnisquam

**PERMIT BY NOTIFICATION**

\*\*\*\*\*

**2008-01680                      SNOW III, HARRY**  
**NEW LONDON   Unnamed Wetland**

Requested Action:

Disqualify PBN to dredge and fill 725 sq. ft. of palustrine forested wetlands for driveway access to a single family residence lot of record.

\*\*\*\*\*

PBN DISQUALIFIED:

Dredge and fill 725 sq. ft. of palustrine forested wetlands for driveway access to a single family residence lot of record.

With Findings:

1. A notice of incomplete permit by notification requesting additional information dated August 26, 2008, addressed to the applicant

or agent of record, clearly required the applicant to submit additional information to DES within 20 days of the request.

2. DES did not receive the requested additional information within the 20 days; and therefore, the permit by notification has been disqualified.

**2008-02150                      IRVINE, JOHN**  
**ALTON BAY   Lake Winnepesaukee**

Requested Action:

Repair an existing docking structure and repair an existing beach retaining wall on Lake Winnepesaukee, Alton.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN application

PBN IS COMPLETE:

Repair an existing docking structure and repair an existing beach retaining wall on Lake Winnepesaukee, Alton.

With Findings:

1. Repair an existing docking structure pursuant to Env-Wt 303.04(v) and repair an existing retaining wall pursuant to Env-Wt 303.04(c).

**2008-02206                      BLACK, WILLIAM**  
**NEWINGTON   Little Bay**

Requested Action:

Impact 400 sq. ft. to replace in-kind existing twin 120' long driveway/stormwater conveyance culverts.

\*\*\*\*\*

PBN IS COMPLETE:

Impact 400 sq. ft. to replace in-kind existing twin 120' long driveway/stormwater conveyance culverts.

**2008-02297                      SNOW III, HARRY**  
**NEW LONDON   Unnamed Wetland**

Requested Action:

Dredge and fill 900 sq. ft. of palustrine forested wetlands for driveway access to a single family residence lot of record.

\*\*\*\*\*

PBN IS COMPLETE:

Dredge and fill 900 sq. ft. of palustrine forested wetlands for driveway access to a single family residence lot of record.

With Findings:

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(8), the installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot for noncommercial, recreational, uses that meets the criteria in Env-Wt 303.04(z).
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
4. The proposed project was originally submitted under DES Wetlands Bureau File No. 2008-01680, this alternative included less impacts, but proposed impacts within 20-feet of an abutting property line.
5. The proposed project was revised to relocate jurisdictional impacts 20-feet from abutting property lines, therefore increasing impacts from 725 sq. ft. to 900 sq. ft.

**2008-02310 KING, NORVAL & C. SUSIE  
NEWBURY Lake Sunapee**

Requested Action:

Repair of existing docking facilities.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN on Oct 23, 2008

Town Clerk signed PBN on Oct 23, 2008

PBN IS COMPLETE:

Repair of existing docking facilities.

With Findings:

1. Repair of existing docking facilities pursuant to Env-Wt 303.04(v).

**2008-02331 MARRIOTT, J WILLARD  
TUFTONBORO Lake Winnepesaukee**

Requested Action:

In kind repair of existing docking structure.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN on 10/26/08 and submitted comments

PBN IS COMPLETE:

In kind repair of existing docking structure.

With Findings:

1. Repair of existing docking facilities pursuant to Env-Wt 303.04(v).

**CSPA PERMIT**

\*\*\*\*\*

**2008-01677 STRONG, STANLEY  
BARNSTEAD Upper Suncook Lake**

Requested Action:

Impact 1,907 to construct a garage and driveway connector.

\*\*\*\*\*

APPROVE PERMIT:

Impact 1,907 to construct a garage and driveway connector.

With Conditions:

1. All work shall be in accordance with plans by Stanley Strong dated August 16, 2008 and received by the Department of Environmental Services ("DES") on August 18, 2008.
2. No more than 12.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 15,989 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 10,847 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. There shall be no bedrooms or kitchen facilities within the proposed garage.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-01679                      MERRITT, DEXTER**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Impact 2,385 sq ft to install a septic tank, pump and force main on property with approximately 364 ft of shoreline frontage on Lake Winnepesaukee in Tuftonboro.

\*\*\*\*\*

APPROVE PERMIT:

Impact 2,385 sq ft to install a septic tank, pump and force main on property with approximately 364 ft of shoreline frontage on Lake Winnepesaukee in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Jeffery Merritt dated August 8, 2008 and received by the Department of Environmental Services ("DES") on August 18, 2008.
2. No more than 12.88% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 23,879 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 12,275 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. At least 50 points of trees must remain within each 50 ft waterfront segment in order to comply with RSA 483-B:9, V, (a)(2)(D). No trees or saplings shall be removed in any segment that does not currently have the number of tree points required by RSA 483-B:9, V, (a)(2)(D).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-01749                      HYDE, DONALD**  
**MOULTONBOROUGH   Kanasatka Lake**

Requested Action:

Impact 1573 sq ft to expand an existing primary structure and install a proposed septic system.

\*\*\*\*\*

APPROVE PERMIT:

Impact 1573 sq ft to expand an existing primary structure and install a proposed septic system.

With Conditions:

1. All work shall be in accordance with plans by Donald Hyde dated August 25, 2008 and received by the Department of Environmental Services ("DES") on August 27, 2008.
2. No more than 17% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 8,492 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 50% of the existing unaltered Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. In order to be in compliance with RSA 483-B:9 V(e)(2), no more than 1 residential unit built after July 4, 1994 that is dependant on on site septic system shall contain facilities that are necessary to deem the structure a "residential unit," as descibed in RSA 483-B:4 XIX.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-01803                      VIDLER, MARTIN**  
**OSSIPEE   Ossipee Lake**

Requested Action:

Impact 8,500 sq ft to replace an existing primary structure with a proposed primary structure.

\*\*\*\*\*

APPROVE PERMIT:

Impact 8,500 sq ft to replace an existing primary structure with a proposed primary structure.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated July 16, 2008 and received by the Department of Environmental Services ("DES") on September 2, 2008.
2. No more than 12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 7,910 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,909.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).



4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-01894                      ADAMO, LINDA**  
**MIDDLETON   Sunrise Lake**

Requested Action:

Impact 60 sq ft to expand an existing deck and stairs.

\*\*\*\*\*

APPROVE PERMIT:

Impact 60 sq ft to expand an existing deck and stairs.

With Conditions:

1. All work shall be in accordance with plans by Linda R Adamo received by the Department of Environmental Services ("DES") on October 22, 2008.
2. No more than 9.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 9,700 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,450 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-02074                      THE MATHEWSON COMPANIES INC, DANIEL JOHNSTON**  
**HANCOCK   Nubanusit Lake**

Requested Action:

Impact 13,070 sq ft to construct a new single family dwelling and driveway and maintain existing accessory structures.

\*\*\*\*\*

APPROVE PERMIT:

Impact 13,070 sq ft to construct a new single family dwelling and driveway and maintain existing accessory structures.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated September 19, 2008 and received by the Department of Environmental Services ("DES") on September 29, 2008.

2. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 14,759 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 9,691 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. This permit is contingent on establishment of a deed restriction on the property which restricts bedrooms and kitchen facilities in the structure labeled as the existing structure on plans by Meridian Land Services, Inc. dated September 19, 2008 and recieved by DES on September 29, 2008.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-02078                      SODANO, LAWRENCE**  
**MADISON   Pea Porridge Pond**

**Requested Action:**

Impact 9,584 sq ft to construct a single-family residential dwelling, driveway and septic system.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 9,584 sq ft to construct a single-family residential dwelling, driveway and septic system.

**With Conditions:**

1. All work shall be in accordance with plans by Land Technical Service Corp. dated September 3, 2008 and received by the Department of Environmental Services ("DES") on September 29, 2008.
2. No more than 12.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 7,211 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,537 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment within the waterfront buffer.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**With Findings:**

1. The project as approved should have no adverse impact on local Bridled Shiner and Common Loon populations.

**2008-02079                      CAMP TEVYA, ELI/BESSIE COHEN**  
**BROOKLINE   Potanipo Pond**

Requested Action:

Impact 110,207 sq ft ot install a commercial swimming pool and expand an existing cabin in a youth camp.

\*\*\*\*\*

APPROVE PERMIT:

Impact 110,207 sq ft ot install a commercial swimming pool and expand an existing cabin in a youth camp.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated November 7, 2007 and received by the Department of Environmental Services ("DES") on Sepember 29, 2008.
2. No more than 7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 397,437 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 303,162 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-02083                      KENNEDY, LEONARD**  
**PELHAM   Beaver Brook**

Requested Action:

Impact 112 sq ft to add additional deck to a pre-existing house.

\*\*\*\*\*

APPROVE PERMIT:

Impact 112 sq ft to add additional deck to a pre-existing house.

With Conditions:

1. All work shall be in accordance with plans received by the Department of Environmental Services ("DES") on September 30, 2008.
2. The applicant shall submit photographs of the completed project and the altered areas of the property to the file within 6 weeks of the project's completion.
3. No more than 6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will not reduce the area of the Natural Woodland Buffer beyond the primary building setback left in an unaltered state.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that the plans submitted do not accurately depict the existing conditions.

**2008-02085                      TURMEL, DANNY**  
**ERROL   Ayers Pond**

Requested Action:

Impact 924 sq ft to construct a foundation under an existing house and replace an existing 280 sq ft deck with a 192 sq ft screen porch.

\*\*\*\*\*

APPROVE PERMIT:

Impact 924 sq ft to construct a foundation under an existing house and replace an existing 280 sq ft deck with a 192 sq ft screen porch.

With Conditions:

1. All work shall be in accordance with plans by Danny Turmel dated September 28, 2008 and received by the Department of Environmental Services ("DES") on September 30, 2008.
2. No more than 14.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. There are currently no unatlered areas on the property.

**2008-02087                      TOWN OF WASHINGTON**  
**WASHINGTON   Mill Pond/beard's Brook**

Requested Action:

Impact 5,100 sq ft to install and upgrade the town's stormwater drainage and management system.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 5,100 sq ft to install and upgrade the town's stormwater management system.

**With Conditions:**

1. All work shall be in accordance with plans by Darrow Civil Engineering, Inc. dated September 4, 2008 and received by the Department of Environmental Services ("DES") on September 30, 2008.
2. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
3. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**With Findings:**

1. This project is consistent with the purpose and intent of RSA 483-B and, therefore, is approved in accordance with RSA 483-B:9, IV-b.

**2008-02123                      PERRY, ANTHONY/BILLIE**  
**SUNAPEE   Sunapee Lake**

**Requested Action:**

Impact 13,225 sq ft to replace a single family dwelling and expand driveway.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 13,225 sq ft to replace a single family dwelling and expand driveway.

**With Conditions:**

1. All work shall be in accordance with plans by Blakeman Engineering, Inc. dated September 29, 2008 and received by the Department of Environmental Services ("DES") on October 2, 2008.
2. No more than 16.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 9,179 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 8,985 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-02125                      CROSSEN-LANGELIER, KYLE**  
**PORTSMOUTH   Atlantic Ocean**

Requested Action:

Impact 500 sq ft to expand an existing primary structure.

\*\*\*\*\*

APPROVE PERMIT:

Impact 500 sq ft to expand an existing primary structure.

With Conditions:

1. All work shall be in accordance with plans by Gene Bergeron & Lynne Libby dated September 25, 2008 and received by the Department of Environmental Services ("DES") on October 1, 2008.
2. No more than 13.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 3,489 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,907.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

2008-02126

NOWLAN, JANET

MEREDITH Lake Winnepesaukee

Requested Action:

Impact 528 sq ft to add a three-season porch to a single family structure and a new detached garage.

\*\*\*\*\*

APPROVE PERMIT:

Impact 528 sq ft to add a three-season porch to a single family structure and a new detached garage.

With Conditions:

1. All work shall be in accordance with plans by James W. Nolan dated September 24, 2008 and received by the Department of Environmental Services ("DES") on October 1, 2008.
2. No more than 17.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 5,146 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,479.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. In order to be in compliance with RSA 483-B:9 V(e)(2), there shall be no more than 1 residential unit, as described in RSA 483-B:4 XIX, that is dependant on on site septic system on the property.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and

remain in place until all disturbed surfaces are stabilized.

8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-02127                      FERREIRA, JOHN**  
**ATKINSON   Big Island Pond**

Requested Action:

Impact 1,400 sq ft to replace septic system serving a single family dwelling.

\*\*\*\*\*

APPROVE PERMIT:

Impact 1,400 sq ft to replace septic system serving a single family dwelling.

With Conditions:

1. All work shall be in accordance with plans by Civil Construction Management, Inc. dated July 2008 and received by the Department of Environmental Services ("DES") on October 2, 2008.

2. No more than 25.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

3. The project as proposed will leave approximately 5,453 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,426.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. This permit is contingent on approval by the DES Subsurface Systems Bureau.

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**CSPA PERMIT W/WAIVER**

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**2008-01270                      BOYLE, THOMAS & JANICE**  
**ANTRIM   Gregg Lake**

Requested Action:

Impact 240 sq ft to expand a parking area for a single family dwelling.

WAIVER APPROVED: RSA 483-B:9, V, (a), (2), (c) is waived to allow the expansion of the existing parking area within the waterfront buffer.

\*\*\*\*\*

APPROVE PERMIT:

Impact 240 sq ft to expand a parking area for a single family dwelling.

WAIVER APPROVED: RSA 483-B:9, V, (a), (2), (c) is waived to allow the expansion of the existing parking area within the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by Thomas and Janice Boyle received by the Department of Environmental Services ("DES") on September 29, 2008.
2. This approval includes a shoreland redevelopment waiver of RSA 483-B:9 V(a)(2)(B) and 483-B:9 V(a)(2)(C). This permit shall not be effective until it has been recorded with the appropriate Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. The project as proposed will decrease the amount of impervious surface on the property by approximately 420 sq ft. There shall be no increase in impervious surface within the protected shoreland unless additional approval is obtained from DES.
4. The project as proposed will impact no existing unaltered areas located within the Natural Woodland Buffer beyond the primary building setback.
5. The proposed brand name "Uni Eco-Stone" permeable pavers shall be installed and maintained in accordance with the manufacturers specifications.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The existing parking area is within the waterfront buffer and, therefore, fails to conform to the groundcover requirements set forth in RSA 483-B:9, V, (a), (2), (c) of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The applicant has proposed to resurface the existing 400 sq ft parking area with pervious pavers and plant additional buffer areas and, therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.